

Message Text

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ACTION EUR-25

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NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-15

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C O N F I D E N T I A L BERLIN 1299

E.O. 11652: GDS

TAGS: PGOV, WB, GE, GW

SUBJECT: SENAT-GDR TALKS: RESCUE MEASURES AT BORDER

REF: BERLIN 1188

1. SUMMARY: AT JULY 20 SENAT-GDR MEETING ON RESCUE MEASURES AT SECTOR BOUNDARY, SENAT TABLED SUGGESTIONS FOR CHANGES IN GDR DRAFT. PROGRESS WAS MADE ON GENERAL PRINCIPLES BUT DIFFERENCES REMAIN CONCERNING SPECIFIC LANGUAGE COVERING AUTHORIZED PERSONNEL, MEANS AND LIMITS OF RESCUE MEASURES AND DESCRIPTION OF BOUNDARY WATERS (ILE., "GRENZGEWAESSER"). GDR CONTINUES TO PRESS SENAT TO TAKE MEASURES ON WEST BERLIN SIDE WHICH WOULD GIVE APPEARANCE OF LEGITIMATIZING GDR BORDER. SENAT HAS SUBMITTED COUNTERDRAFT, WHICH IT WISHES TO INTRODUCE AT NEXT MEETING WITH GDR REP, FOR ALLIED COMMENT. END SUMMARY.

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2. JULY 20 SENAT-GDR TALKS WERE TAKEN UP WITH SENAT

SUGGESTIONS FOR CHANGES IN GDR DRAFT. ACCORDING TO SENAT REPORT, CONSIDERABLE PROGRESS WAS MADE ON GENERAL PRINCIPLES GOVERNING AUTHORIZED PERSONNEL, LIMITS AND MEANS OF RESCUE MEASURES, BUT ONLY PARTIAL AGREEMENT WAS REACHED AS TO SPECIFIC LANGUAGE (FORMULIERUNG). ATMOSPHERE APPEARS TO HAVE BEEN MUCH MORE BUSINESSLIKE THAN AT PREVIOUS SESSION. MITDANK, FROM GDR FOREIGN MINISTRY, REPRESENTED GDR, EVEN THOUGH HE AND KUNZE HAD AGREED AT INITIAL MEETING THAT LOWER-RANKING EXPERTS WOULD CARRY ON TALKS UNTIL SUBSTANTIAL AGREEMENT REACHED.

3. MITDANK REJECTED INCLUSION OF TELTOW CANAL IN LIST OF WATERWAYS TO BE COVERED BY AGREEMENT, AND SUGGESTED THAT TELTOW ISSUES MIGHT BE DISCUSSED WHEN SENAT WAS PREPARED TO ENTER INTO OTHER NEGOTIATIONS PROPOSED BY GDR. HE USED SAME PLOY IN TURNING ASIDE SENAT PROPOSAL FOR "HOTE LINE." COMMENT: THIS COULD BE CONSTRUED AS REFERENCE TO GDR'S OUTSTANDING PROPOSAL FOR TALKS ON WATER CONSERVATION, AS WELL AS TO MITDANK'S INSISTENCE ON COMPREHENSIVE SENAT-GDR AGREEMENT ON OIL-PIPELINE PROJECT.

4. WHEN MITDANK STRESSED URGENT AND SERIOUS INTEREST OF GDR IN HAVING WEST BERLIN AUTHORITIES ERECT RESCUE KIOSKS (RETTUNGSSAEULEN) ALONG SECTOR BOUNDARY, SENAT NEGOTIATORS HEADED BY ANNUSSEK SAID SENAT DID NOT HAVE CLOSED MIND ON SUBJECT BUT ERECTION OF SUCH INSTALLATIONS COULD ENTAIL NUMBER OF PROBLEMS (E.G., COST OF INSTALLATION, LEGAL PROBLEMS, POSSIBLE FALSE ALARMS, ETC.). BOTH SIDES AGREED TO CONSIDER INTERIM SOLUTIONS.

5. MITDANK TENTATIVELY ACCEPTED NEW SENAT LANGUAGE COVERING RESPONSIBILITY OF SENAT TO PROSECUTE PERSONS WHO MISUSED RESCUE EQUIPMENT, BUT PROPOSED THAT MISUSE OF AGREEMENT ITSELF AS WELL AS EQUIPMENT BE PROSECUTED BY SENAT. COMMENT: THERE MAY EXIST SEEDS OF CONTROVERSY IN THIS SUGGESTION. IF ACCEPTED BY SENAT, GDR MIGHT DEMAND PROSECUTION OF INDIVIDUALS IT CONSIDERS WERE CONFIDENTIAL

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ENGAGED IN "BORDER PROVOCATIONS". END COMMENT.

6. WHEN ANNUSSEK SUGGESTED PREAMBLE REFERRING TO THE QA, MITDANK REJECTED IDEA AND SAID THAT GDR WAS NEGOTIATING ON BASIS OF ITS OWN SOVEREIGNTY; IF SENAT INSISTED ON FRAMEWORK OF QA "THE NEGOTIATIONS WILL LAST A LONG TIME." COMMENT: DESPITE REPORTED BAHR-KOHL AGREEMENT AT THEIR JUNE 29 MEETING THAT WATER CONSERVATION AS WELL AS OTHER

SENAT-GDR MATTERS COULD BE NEGOTIATED UNDER QA, MITDANK'S REACTION TO SPECIFIC SENAT SUGGESTION WAS NOT UNEXPECTED AND INCREASES OUR DOUBTS ON ULTIMATE FEASIBILITY OF THIS PROCEDURE. ALTHOUGH NOT RECORDED IN ANNUSSEK'S ACCOUNT OF MEETING, HEAD OF CHANCELLERY HERZ REPORTED TO SENAT LIAISON OFFICERS THAT MITDANK SAID REFERENCE COULD NEVERTHELESS BE MADE TO PROTOCOL-VERMERK ON COMMUNICATIONS ATTACHED TO VISITS ARRANGEMENT RATHER THAN QA ITSELF (BERLIN 1297).

7. FOLLOWING JULY 20 SESSION, SENAT PRESENTED TO ALLIES FOR COMMENT WHAT APPEARS TO BE GENERALLY ACCEPTABLE COUNTERDRAFT, WHICH WOULD PLACE ON TABLE SENAT VERSIONS OF CONTROVERSIAL PASSAGES, AS WELL AS SENAT SUGGESTION FOR "HOT LINE."

8. IT IS CLEAR THAT GDR WOULD LIKE TO USE DESIRE OF SENAT TO HAVE HUMANITARIAN AGREEMENT TO PRESSURE BERLIN AUTHORITIES TO TAKE MEASURES (E.G., ERECTION OF INSTALLATIONS, ETC.) WHICH APPEAR TO LEGITIMATIZE GDR BORDER. SENAT IS AWARE OF DANGER BUT IT IS UNCLEAR WHETHER IT IS PREPARED TO FOREGO AGREEMENT IN ORDER TO AVOID SUCH RISK.BORG

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